

ORDINANCE No. _____

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHAMBLEE, GEORGIA, ARTICLE 1, SECTION 3, “AD VALOREM TAXES; POWERS; RATE” TO CLARIFY THAT THE AD VALOREM MILLAGE RATE ASSOCIATED WITH GENERAL OBLIGATION BONDS AND OTHER SPECIAL ASSESSMENTS DOES NOT COUNT TOWARD THE MILLAGE RATE LIMIT FOR REGULAR AD VALOREM TAXES

BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHAMBLEE, GEORGIA THAT SECTION 3 OF ARTICLE 1 OF THE CHARTER SHALL BE AMENDED AS FOLLOWS:

WHEREAS, the duly elected governing authority of the City of Chamblee, Georgia is authorized by O.C.G.A. § 36-35-3 to amend its charter for purposes for which no provision has been made by general law and which are not inconsistent with the Georgia Constitution; and

WHEREAS, such charter amendments may be accomplished through ordinances duly adopted at two regular consecutive meetings as an incident of the City’s home rule power; and

WHEREAS, the duly elected governing authority of the City of Chamblee, Georgia is authorized to amend Charter provisions related to millage rates as such matters are not included in the list of specific matters for which home rule powers are limited in O.C.G.A. § 36-35-6; and

WHEREAS, the City has completed an analysis of the millage rate as it affects the City’s ability to incur debt and to implement special assessments for governmental purposes and desires to amend the provisions in the Charter regarding the City’s millage rate; and

WHEREAS, this ordinance is adopted to address the interest of the public health, welfare, and safety of the citizens of the City of Chamblee.

NOW THEREFORE, BE IT ORDAINED BY the Mayor and City Council of the City of Chamblee, Georgia, as follows:

SECTION 1. Section 3 of Article 1 of the Charter of the City of Chamblee is hereby amended to read as follows:

Section 3. - Ad valorem taxes; powers; rate.

Said City of Chamblee shall have power to levy, assess, and collect ad valorem taxes for all ordinary, current, or otherwise legal expenses of government upon all property within its territorial limits, or taxable by it under provisions of general law. The millage rate imposed for ad valorem taxes on real and personal property shall not exceed eight (8) mills upon each dollar of assessed valuations; provided that the amount of millage associated with general obligations bonds, intergovernmental contract revenue bonds or any other short or long term indebtedness of the City, and special tax districts shall not count as part of the 8 mill limit. Among the ordinary and legal purposes for which such taxes may be levied, collected, and expended by the municipality shall be that of furnishing social security insurance and protection to its employees

and other persons eligible for such protection. Said municipality shall likewise have power and authority to expend other general funds for the same purpose whether raised by taxation or otherwise.

SECTION 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 4. Pursuant to O.C.G.A. § 36-5-5, this ordinance shall become effective immediately upon the filing of a copy of the ordinance, a copy of the required notice of publication, and an affidavit of a duly authorized representative of the newspaper in which the notice was published with the Secretary of State and in the office of the Clerk of Superior Court of DeKalb County.

First Approval:

The foregoing was proposed by Council member _____ with a motion that the same be adopted. Said motion was seconded by Council member _____. Same was then put to a vote and _____ Council members voted in favor of the Ordinance and _____ Council members voted against the Ordinance. Said motion was thereupon declared passed and duly adopted this _____ day of _____, 2024.

Cherron Bouie
City Clerk, City of Chamblee, Georgia

Final Adoption:

The foregoing was proposed by Council member _____ with a motion that the same be adopted. Said motion was seconded by Council member _____. Same was then put to a vote and _____ Council members voted in favor of the Ordinance and _____ Council members voted against the Ordinance. Said motion was thereupon declared passed and duly adopted this _____ day of _____, 2024.

Cerron Bouie
City Clerk, City of Chamblee, Georgia

Approved this ____ day of _____, 2024.

Brian Mock
Mayor, City of Chamblee, Georgia

Approved as to form:

City Attorney
First Reading: _____
Second Reading: _____